

UNITED STATES DISTRICT COURT  
Western District of North Carolina

UNITED STATES OF AMERICA

v.

Barry Fitzgerald Derr  
*Defendant*

Case Number: 5:23-cr-00013-KDB-DCK

**ORDER**

Pursuant to Rule 5(f) of the Federal Rules of Criminal Procedure, the Court confirms the obligation of the Government to disclose to the defendant all exculpatory evidence that is, evidence that favors the defendant or casts doubt on the case brought by the Government under *Brady v. Maryland*, 373 U.S. 83 (1963) and its progeny, and ORDERS the Government to comply with this obligation. The Government is advised that failure to disclose exculpatory evidence in a timely manner may result in the exclusion of evidence, dismissal of charges, contempt proceedings, disciplinary actions, or other sanctions, as may be appropriate.

It is so ordered.

Date: April 18, 2023



Susan C. Rodriguez  
United States Magistrate Judge